App. F. IX-4

Previous References

1930
(Nugent)

File No. 272 30
Serial Nos. 1 - 5

Later References
Mis 323-28(1-7)

General and Revenue Secretariat.

Serial Nos. 5

Part B for April 1931.

SUBJECT.

Performance of Puja and Karyas of Karaga in the Sri Dharmaraya Swamy temple at Ulsoorpet, Bangalore city.

Rc 2106 dated 26.3.31 from the Collector.

No reason to interfere with the order passed by the Mysore Commissioner.

no 1277

REPLY

(*To be written on this margin.*)

Mez 272-30-1.

OFFICE OF THE
FIRST MEMBER OF COUNCIL.

NOTE.

Dated....24th March.....*19* 31.

M.107

The accompanying Revision Petition was presented by Messrs A.R.Nagesvara Iyer, R.Venkataramaiya and H.Sreenivasa Rao, Advocates. The appeal against the order of the Deputy Commissioner appears to be pending before the Muzrai Commissioner. In the meantime, the latter has ordered that the functions of this year be arranged as under:-

1) the Pooja to be conducted by the opponents;

and 2) the Karga to be carried by Sri Ramaiya.

2. It is not clear if the intention of the order is that the Pooja should be performed by ~~either of~~ the opponents personally or by one of their party against whom there is no objection on the score of Koodike marriage. If the latter is the case, it would perhaps be well to make the point more clear. If, however, the intention is that the opponents might personally perform the Pooja, the question has to be considered whether this function might be entrusted to them when that of carrying the Karga is with-held from them. Both are religious functions and it may not be advisable to entrust either function to the opponents

Issue draft
24.3.31

Issued No 2095 24 3 31

until the pending appeal is decided; and in the meantime, the arrangement of permitting Sree Ramaiya to carry the Karga and allowing him or some other member of the party of opponents against whom there is no objection on the score of Koodike marriage to perform the Pooja, might be adopted.

The petition may be sent to the Muzrai Commissioner for a very early report with the above observations.

24/3/

Financial(Muzrai) Secretary with compliments

In the Court of the Mazrai Commissioner
in Mysore, Bangalore

— — — — —

Mazrai Appeal No. 34, 30-31

Appellants :—

1 Ganachare Muniswamappa
2 Venkategowda
3 K Munisawmy
4 Muniswamy alias Ganesh
5 Ganti Pujare Munipapanna
6 Muniyellappa
7 Yerrappa Gowda
8 Nanjappa
9 Ranganpha
10 Bijappanavara Muniswamappa
+ others. All Thigalars residing near Dharmaraja temple Thigalarpet Bangalore City.

Respondents

1 Doddashamanna
2 Chikkshamanna
Son of Papaiah
residing in
Thigalarpet,
Bangalore City

Appeal against the order of the Deputy-Commissioner, Bangalore District affirming the order of the Sub Division Officer Bangalore setting aside the order of the Amildar of Bangalore dated 2-1-1930 in the matter of the right to perform the Puja and to carry the Karaga of Sri Dharmarajaswami temple, Ulsurpet, Bangalore City.

Order No.

Dated Bangalore 21st March 1931

This is an application by the appellants for

the stay of execution of the order of the Deputy
Commissioner Bangalore District confirming
the orders of the Sub-Division Officer directing
that the respondents be recognised as the hakda
pujaries of Dharmaraya temple, entitled also
to carry the 'Karaga' once a year. This
dispute has been before this Court twice -
already and the facts of the case have been
set forth in the previous orders of this office
as well as in the orders of the Deputy Commis-
sioner now under appeal. It will therefore
be sufficient to indicate the facts briefly,
as far as they are concerned with the
present application. The 1st appellant has
doing the puja and carrying the Karaga for
a number of years prior to 1927 not on his
own right but as a temporary arrangement
in the absence of any definite orders. The
respondents who belong to the pujari family
applied to the authorities for recognition of
their rights as such and after regular
enquiry the Sub-Division Officer passed
orders in March 1930 recognising their right
An appeal has preferred against that order
and the Deputy Commissioner after hearing
both parties confirmed the orders of the Sub-
Division Officer in his judgment dated 2nd
March 1931. As the orders were passed --
immediately prior to the festival during
the last 2 years, the question of making —

23. MAR. 1931

temporary arrangements for carrying on the festival engaged the attention of both the office and the deputy Commissioner in 1929-1930 The trend of the Mysore Commissioner's orders in both years was that the appellants party should be given the puja functions while the right of carrying the 'Karaga' was entrusted to one Sri Ramiah belonging to the respondents party. But in both years this was not given effect to so far as the appellants party was concerned for the reasons that they were not willing to do the puja alone in 1929 and that it was thought more desirable that the two contending factions should not be allowed to come together during the festival owing to fear of the breach of the peace in 1930 As a result the respondents were doing the puja while Sri Ramiah carried the Karaga.

2 It is unfortunate that this year also the deputy Commissioners order was passed too near the Karaga to admit of the final disposal of the appeal The appellants have, in their appeal petition asked for a stay of the deputy Commissioner's orders pending the disposal of the appeal. It was argued on their behalf that complicated questions of law and fact were involved in the appeal and that pending their disposal the status quo ante should be maintained by allowing the 1st appellant to do the puja and carry the Karaga. It was suggested in the alternative that the respondents may do the puja while the appellants may be allowed to carry the

Karaga. These contentions were opposed by the counsel for respondents who argued that the respondents hakdari rights having been recognised by two courts, they should be permitted both to do the puja and carry the Karaga. After careful consideration I have come to the conclusion that the — appellants requests cannot be complied with. As pointed out by the deputy commissioner none of the appellants claims the appointment on his own rights and only objects to the — selection of the respondents as the latters father was born of 'Kudike' wife. To stay the deputy commissioners order would only bring in the 1st appellant who has no right of his own and who was doing the duties as a temporary measure, as against the — respondents whose claims have now been recognised by two courts. The alternative suggestion made by the appellants Counsel cannot also be agreed to. The carrying of the Karaga appears to be a valued privilege and cannot be conferred on him as the — respondents cannot be put in a worse position this year after the deputy commissioner has decided in their favour than last year when they preferred the puja and one of their barbers carried the Karaga. It was argued that this arrangement was a very arbitrary one made by the local authorities but the appellants have

only to thank themselves for losing the privilege of doing puja which was allowed by the previous Muzrai Commissioner by taking an obstructive attitude as stated by the local officers. In my opinion therefore, the respondents have a right at least to expect the temporary arrangements of last year to be continued

whether this should be done pending the disposal of the appeal or whether full effect should be given to the Deputy Commissioner's Order is the next point for consideration. The history of the case during the last few years shows that there is some feeling entertained rightly or wrongly that it would be desirable that the Karaga at least is carried by some body other than the respondents. This feeling cannot of course be countenanced forever in spite of the decision of Competent authorities but pending the disposal of the appeal now filed before me I think it is better that last years arrangement should be continued therefore direct that the respondents may perform the puja and that the Karaga should be carried by Sri Ramiah as was done last year. The Deputy Commissioner will make the necessary arrangements accordingly.

Sd. S. P. Rajagopalachari,
Muzrai Commissioner

Copy applied for by M/s. H. Srinivasachar on 23-3-31

Copy ready on 23-3-31

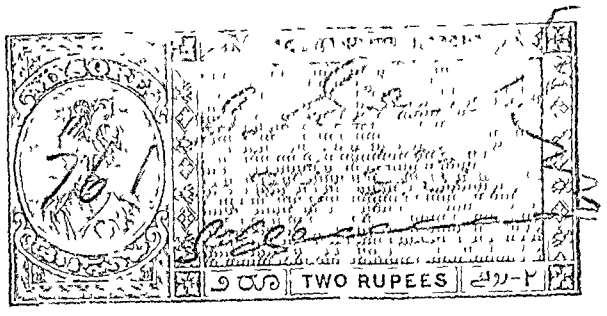
Copy delivered on 23-3-31.

No. of words 1020
Copying fee 1-6-0
Comp. verifying fee 0-3-8
1-9-8

Copied by
Compared by S Jagannadha Rao

"Copy"
B. Venkatachalam
Manager
Alur: Com's Office

23/3



Before the Court of Mysore ಕೋರ್ಟಿಗೆ.

1930 — 31 ನೇ Munsiff's Suit ನಂಬರು

ವಾದಿ ಯಾ ಅರ್ಜಿದಾರ.	ಪ್ರತಿವಾದಿ ಯಾ ಆಪ್ಪೋನೆಂಟ್.
Gavalhair Venkisami	Doddashamanna
V.S.	Chikkashamanna

ಮಾ|| ರಾ|| A. R. Nageswara Iyer, H. Srinivasarao & R. Venkatarama

ಇವರು ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮಾ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಇಬ್ಬರಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ನಡೆಸುವುದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ, ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಸಿಲ್ಕು ಮೊಬಲಗೂ, ಪ್ರೊಸೆಸ್ ಸ್ಟ್ಯಾಂಪು, ದಾವಾಸ್ಟ್ಯಾರಪು ಸಹ ಪಡಿಯಲಿಕ್ಕೂ, ದಸ್ತ್ವೈಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೊಂಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಜ್ಞೋ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡೆಯಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇರುತ್ತೇನೆ.

ತಾರೀಖು

ಮೂಖ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯ ಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.

A. R. Nageswara Iyer
H. Srinivasa Rao
R. Venkatarama Iyer

ವಿ. ಸೀತಾರಾಮಯ್ಯ, ಸ್ಟ್ಯಾಂಪುವೆಂಡರ್, ಚಿಕ್ಕಪೇಟೆ, ಬೆಂಗಳೂರು ಸಿಟಿ ಯವರಲ್ಲಿ ದೊರೆಯುತ್ತೆ.

ಶ್ರೀ ವೆಂಕಟೇಶ ಪ್ರೆಸ್, ಬೆಂಗಳೂರು ಸಿಟಿ.

Serial No.

4 As regards the
be carried by Sri
there is no objection

5 In the matter of the
Puja, this seems to
been performed during
the last 2 occasions
by Dodda Shamanna
and Chikka Shamanna
direct descendants by
Koodike with the help of
the Police & support of the
D.C., as a result of which
many of the devotees
are reported to have stay
away from the worship.

6 It is to avoid a simi-
lar unpleasant happening
this time the present ap
peal is preferred.

7 It is desirable that a
person not belonging
to Koodike origin shoul
be allowed to perform
the Pooja till ~~the~~ a final
decision in the case
is arrived at.

~~FL~~ First Member) VS

26·3·31

WD 0255—50,000—GPB—37

Mag Jus - 76 30-31

File No 2.7 of 19 ?

General and Revenue Secretariat

The enforcement process may issue

Mudd
26/3/31

Issued No 2106 of 26/3/31.

Memo no 2107 of 26.3.31 to the Magistrate Commissioner forwarding copy of Govt No 2106 of the same date.

No 2108 of 26/3/31 to the A.R. Nageswara Iyer Lawyer for Petitioners.

to the Secretary
May now be sent for general Orders issued in the matter.

Fl. Seey) VS
27.3.31

10 h
27.3.31
VS

11 Before recording papers it is necessary to obtain the version yet furnished by the A.R. Nageswara Iyer Advocate for the Appellants.

12 Put up with further papers.

3/3

13 Issue
VS
31.3.31

Issued No 2170 of 1.4.31 to the Magistrate Commissioner calling for the version required

Serial No.

No. 34/30 3 dt. 4-1931
from the Manager Canara Bank
Mangalore, the appeal petition pres.
by Ganesh Rao Thigalaya
resident near Thanneerbhavi Temple
Mangalore City.

14 The file was ordered

B
8/4

8
8/4

File No of 192

General and Revenue Secretariat

Serial No

Note–Contn Sheet

No 2095

Genl.

Muz 272-30-2

24th March 1931.

The Muzrai Commissioner,
Bangalore.

I am directed to forward herewith for favour of a very early report the accompanying revision petition presented to Government against your order in Appeal No. 34 of 1930-31 on your file and to observe as follows:-

It is seen that the functions of this year in respect of Puja and Karaga at the Sri Dharmarajaswami temple, Ulsoorpet, have been ordered to be arranged as under:-

1. The Puja to be conducted ~~ka~~ by the opponents; and
2. The Karaga to be carried by Sri Ramaiya.

It is not clear if the intention of the order is that the Puja should be performed by the opponents personally or by one of their party against whom there is no objection on the score of Kudike marriage. If the latter is the case it would perhaps be well to make the point more clear. If however the intention is that the opponents might personally perform the Puja the question has to be considered whether this function might be entrusted to them when that of carrying the Karaga is with-held from them. Both are religious functions and it may not be advisable to entrust either function to the opponents until the pending appeal is decided and in the meantime the arrangement of permitting Sri Ramaiya to carry

the Karaga and of allowing him or some other member of the party of opponents against whom there is no objection on the score of Kudike marriage to perform the Puja might be adopted.

The enclosures may kindly be returned with your reply.

I have the honor to be,
Sir,
Your most obedient servant,

24.3.31

for Secretary to Government,
Financial Department.

C.R.G.

No Immediate & Confd

Muzrai

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

Dated, Bangalore, 25th March... *193* 1.

Submitted for orders and Reference.
(M. Member) 25 3 31

Dear Sir,

Your letter No.2095/- dated the 24th instant in regard to Appeal No.34 of 1930-31 on the file of this office relating to the Puja and Karaga at the Sri Dharmarajaswami temple, Ulsoorpet, was received here last evening. The Muzrai Commissioner has gone on circuit and he is expected back on the 28th instant.

The ad-interim order passed by this office on 21-3-31 in respect of Puja and Karaga to be performed this year, only sanctions continuance of the arrangement that has been in operation for the last two years. The respondents have actually been performing the Puja since 13-12-28 while Karaga was carried by Sri Ramia both in 1929 and 1930 and these arrangements are ordered to be followed this year also, pending the decision of the appeal. It is not clear if it is the intention of the Government to have the arrangement that has been in operation for the last 2 years now changed and

the 1st respondent deprived of the Puja that he has now been doing. It may also be added that the order passed by this office has operated as a Stay Order to a partial extent, in-as-much as the Respondents have not been allowed to carry Karaga though the decisions of the two lower Courts have given them that right also in addition to the Puja.

It is seen from the records that an attempt was made by the previous Muzrai Commissioner last year, to give the appellants the chance of doing Puja during the last Karaga function but it was apprehended by the Deputy Commissioner that such an arrangement was likely to cause much trouble on account of the strained relationship between the two parties.

It appears from the letter under reference as if the arrangement ordered by this office is considered by Government as a new arrangement and therefore I am writing you this letter to have the point kindly cleared.

On receipt of your reply, the papers will be submitted to the Muzrai Commissioner in camp for issuing further

further instructions.

Yours sincerely,

Yuvarajiga Rau.

To

Rajasevaparayana
C. Srinivasa Ivengar, Esq., .A., P.I.,
Secretary to the Government of Mysore,
Financial Department.

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

D/S. Noted as directed
M&K
G-5
25/3/31

25/3/31

Issued to—: Letter No 2096
dated 25/3/31 addressed to the
Assistant to the Hungarian
Commissioner

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

WD 1850—GPB—1,50 000—2 5-21

Appendix F G—1

SUBJECT.....

.....

.....

Section Mu 3

File No.

Serial No.

No. D.O. 2096

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

To

Asst to M.C.

Dear Sir,

Date of issue 25.3.31

Signed by Dro B. Somasundaram

2nd Dept regarding D.O. of date re: The puja and Kanaga Darshan at the Sri Dharmaraja Swami temple Telegraph Bangalore city, I am directed to enquire if the first approach personally performed the puja once each two occasion - or was it entrusted to some one else of his party - It has been represented in the petition

Details of official information is required on Monthly point.

List of enclosures.....

Copied by.....

Examined by.....

[over

WD 02559—GPB—25,000—25-6-30

that the opponent did not personally
perform the puja - This fact
should be certified - If he did perform
the puja personally during last two occasions
the arrangement ordered by the H.C.
will do pending the settlement
of the appl. Otherwise there
would be an innovation
which it is desirable to avoid.
An immediate report ~~will be obliged~~ explaining the actual req-
is requested.

Yours faithfully.

25/8/82

25/8/82

Immediate and Confidential.

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

No. Appl 34 Conf. 30-31.

Dated, Bangalore, ...6th March.....1931.

Dear Sir,

In reply to your D.O. of yesterday, calling for definite information in the matter of performance of puja in Sri Dharmarajaswamy temple, Ulsurpet, I write to say that the Amildar, Bangalore City states in his memo (copy enclosed) that on the last 2 occasions, (during the Karaga and after) the puja was performed by Dodda Shamanna and his brother Chikkashamanna.

As it has now been made clear that the Respondents did the Pooja on the last two Karaga occasions besides performing -- puja throughout the year, it may be kindly made clear if the order passed by the Muzrai Commissioner on 21st March 1931 in regard to the carrying of Karaga and performing of puja this year, will stand good pending the decision of the ----- appeal

Yours sincerely,

Yenanasiga Rao

To

[illegible]

[illegible] Srinivasa Iyengar, Es., B.A., B.L.,

[illegible] Secretary to the Government of His

[illegible] Highness the Maharaja of Mysore,

Financial Department.

Memo submitted by the Amildar, Bangalore City Taluk, to the Muzrai Commissioner in Mysore, in reply to Official Memorandum No. App.34/30-31 dated 25-3-31 issued from this office.

Submitted.

On the last two occasions(and during the Karaga and after) the Puja was performed by Dodda Shammana and his brother Chikka Shamanna. It is ascertained that the Deputy Commissioner had ordered that Ganesha, one of the persons belonging to the appellant, should perform Puja, and that Sri Ramiah of the respondents' party should carry the Karaga. But as the appellants' party did not want a division of the emoluments and offices, it was decided that Dodda Shamanna should perform Puja and Sri Ramiah should carry Karaga. Both the brothers have been performing the Puja on the last 2 occasions of Karaga and ordinary days.

"COPY"

Yuvarajaja Rau

For Muzrai Commissioner.

2 of 6

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

General and Revenue Secretariat,

Dated, Bangalore... 26th March 1931.

No. 2106

Munisami, Venkappa &c. ENDORSEMENT. Granted to Ganachari
Ker 4 of 30-31. Appellants in Muz—

With reference to their representation dated 24th instant, the appellants are informed that it has been ascertained that the respondents did, as a matter of fact, perform Pooja on the last two Ariga occasions. The arrangement now ordered by the Inam Commissioner is identical with that actually followed on the last two occasions. In these circumstances, there is no reason to interfere with the orders passed by the Inam Commissioner.

By order,
Subrahmanyasastri
for Secretary to Government
Inam Department.

G.R.G.S.

Draft.

No 2106

24

2 — 3 — 31

Endorsement.

Dated 26.3.31

From V. S. Secretary

With reference to their representation, dated 24th inst, the appellants are informed that it has been ascertained that the respondents did, as a matter of fact, perform pooja on the last two Karga occasions. The arrangement now ordered by the Muzrai Commissioner is identical with ~~the one~~ that actually followed on the last two occasions. In these circumstances, there is no reason to interfere with the ~~ad interim~~ orders passed by the Muzrai Commissioner.

26.3.31

Secretary to Government,
~~Revenue~~ Muzrai Deptt.

Mail
26-3-31

No 2107
26-3-31

Copy to MCO
information

Mayor Dewan Bahadur M R R
Nagesvara Iyer

No. 118
26.3.31

Lawyer for
appellants

Dr 2170/31.

1st April 1931.

Financial xxx

The Muzrai Commissioner,
Bangalore.

I am directed to request you to be so good as to return the revision petition against your order in Appeal No. 34 of 1930-31 on your file sent with this office letter No. 2095 dated 24th March 1931 in the matter of the ensuing celebration of the Karaga festival in the Bangalore City.

I have the honor to be,
Sir,
Your most obedient servant,

V Subrahmanyasastri

for Secretary to Government,
9-5 Financial Department.

C.R.G.

Appendix F G—1

SUBJECT.....

.....

.....

Section PW3

File No.

Serial No.

No. 2170

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193* .

To

M.C.

Date of issue 1.4.31

Signed by Sm V. S. Sastry

Sir,

I am directed to request you will be good as to return ~~as a copy~~ the revision petn against an order in appl no 3408 1930-31 on an file sent with this office letter no 2095 dt 26/3/31. in the matter of the celebration of the Karaga festival in the Bangalore city

Thanks etc

31.3.31

[over

See top of the Dl Dept

List of enclosures.....

Copied by.....

Examined by.....

WD02559—GPB—25,000—25-6-30

C 13]

No 30-31 Office of the Muzrai Commissioner in Mysore,

Bangalore, 27/30 April 1931.

414.

From

S. P. RAJAGOPALACHARI, Esq, B.A., B.L.,
Muzrai Commissioner in Mysore.

To

Rajaseva Parayana
B. Srinivasa Iyengar, Esq., M.A., B.L.,
Secretary to Government of His Highness
the Maharaja of Mysore,
Finance and
Department.

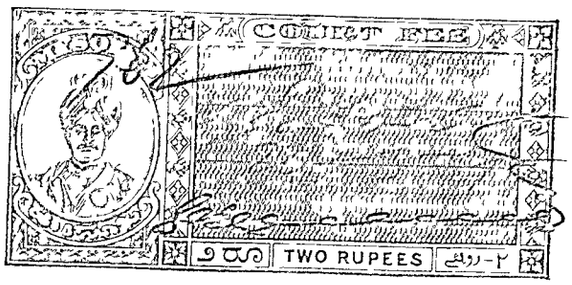
GENERAL 1331 1931

Sir,

In continuation of this office No.Accl.34/30-31 dated yesterday I have the honor to return herewith the enclosure received with your letter No.2035 dated 24th March 1931.

I have the honor to be,
Sir,
your most obedient servant,

Yoganarasimha Rao
For Muzrai Commissioner.



BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE, B A N G A L O R E.

==========

-:ooo:-

Revision Petition No. 7 of 1930-1931.

========

****

Petitioners : -

1. Ganachari.
2. VenkateGowda.
3. K. Muniswamy.
4. Muniswami ,Alias, Ganesh.
5. Ghante Pojari Munipapanna.
6. Muniyellappal.
7. Yerrappa Gowda.
8. Nanjappa.
9. Rangappa.
10. Bajjappanavara Muniswamppa.

Thigalars, residing near Dharmaraja Temple, Thigalars BANGALORE CITY.

-:(VS):-

******

OPPONENTS.

1. Doddashamanna.
2. Chikkashamanna.

residing in Thiga -larpet, Bangalore C i t y .

REVISION PETITION AGAINST THE ORDER OF THE REVENUE COMMISSIONER IN APPEAL MUZ.APPEAL NO.34 of 1 9 3 0 - 1 9 3 1.

==========

-:o:-

The Petitioners beg to submit as follows : - -

The opponents grandfather one Arjunappa who belonged to the Poojari formerly married one Tholasamma according to Koodike form of

-marriage

The opponents' father Papanna by name was born out of this union, but this branch of the Poojari family, Arjunappa was the last person to perform the Pooja and carry the Karaga and when Arjunappa attempted to get the Office of Poojari to his son Papanna, the Community protested and Papanna has never performed either the Pooja or carried the Karaga. Later in the year 1899 and 1900 when Munibalappa the brother of the opponents applied to the then Amildar for permission to perform the Pooja and carry the Karaga. The then Amildar Mr. K. G. Shamanna ordered in the year 1900 that on account of the Koodike or rakhavalu in their family, they were disentitled to perform the Office of a Poojari. This order has not been appealed against and has been acquiesced in by the opponents and by virtue of this order, the opponents have not been allowed to perform the Pooja or carry the Karaga for the last 30 years.

(2). In the year 1927 the opponents filed an application to the Sub Division Officer, Bangalore that they should be recognised as Hakdars for the Poojari Office of the Sree Dharmarajaswamy temple and after contest by the petitioner, and a prolonged enquiry, the Sub Division Officer in the enquiry Court and Deputy Commissioner, Bangalore in the Appellate Court were pleased to order that they were the Hakdars. The matter again went up in appeal to the Muzarai Commissioner and a STAY ORDER was prayed, and against that order

order the present petitioner has been filed before this Hon'ble Government.

GROUNDS OF REVISION.

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(1). The learned Muzarai Commissioner has erred in holding that the consequence of staying the Deputy Commissioner's order would only bring in the first appellant. For if the Muzarai Commissioner did not want to give the present chance of carrying Karaga to the first petitioner on the ground that he was a contesting party he could have given it to any other member of the petitioner's party.

(2). The learned Muzarai Commissioner has erred in holding that by appointing the first petitioner to carry the Karaga for this year, the opponents would be placed in a worse position than last year. For this is only a temporary measure resorted to during the pendency of the appeal and does not in any way prejudice the right of the opponents. Also for the last two years, the opponents party has had the advantage both of performing the pooja and carrying the karaga and the petitioners and their party were practically kept out of the temple and had no opportunity to worship the Deity and it is but just and equitable that at last this year the petitioners party should be permitted to perform the pooja and carry the karaga and thus allow a large section of the communtiy to participate in the festive celebrations

This statement that Respondents have been performing puja is altogether baseless and not borne out by records.

(3). The learned Muzarai Commissioner erred in finding that the petitioners party were themselves responsible for losing the privilege of pooja on account of their-obstructive tactics. The petitioners were perfectly willing to cooperative with the authories . They were also amenable to act up to the orders of the Muzarai Commissioner. The also gave an undertoking to the Amildar, Bangalo that they were willing to take the Pooja and also took out a bond from the first petitioner, that he and his party would be given the pooja and they should not commit any breach of these peace. All these orders were given the go-by and the local authorities practically refused to give effect to the Muzarai Commissioner's order, which was highly unjust and unfair to the petitioners.

(4). That the learned Muzarai Commissioner himself has stated that during a long period , the great portion of the community has felt very strongly against the opponents performing the pooja and carrying the Karaga and on that ground has given the function of carrying Karaga to Sri Ramaiaya It is enjoined by their Shastras the Vahni Puranas that a person of purity of decent blood only should be allowed to perform the Pooja. Even to permit the opponents ~~the~~ to worship the Deity is committing

committing a sacrilege in the eyes of a large portion of the community and is strongly opposed to the tenets of their Shastras.

(5). It would be creating a needless and a very undesirable innovation if the opponents who have been out of Office for thirty years are permitted to carry the Karaga and it would be a violent outrage on the religious susciptibility of a large section of the Community, The Order is in any event unjust and inequitable.

(6). WHEREFORE, the petitioners pray that this Hon'ble Government might be pleased to reverse the orders of the Muzarai Commissioner and direct that a Member of the petitioners Party be direct to perform the Pooja and carry the Karaga and in any event that the opponents should not perform Puja pending disposal of the appeal.

Bangalore,
24th March 1931.

K. Ramaiah
Advocate for petitioners.